

Panel demands review of abuse laws

By Wayne Paul
staff writer

It would cause a scandal, a state legislator charged, if adult crime victims were treated as callously as abused children.

State Rep. Shirley Johnson said Michigan Department of Social Services policy often emphasizes keeping families together at the expense of the child's best interest.

"A little girl (who has been sodomized by her father) is being forced back to her rapist," the Royal Oak Republican said. "The state has no right to do this."

Johnson's comments came during

a GOP task force hearing on anti-child abuse legislation held recently in Livonia.

No DSS officials appeared on the hearing agenda, however, a Wayne County Youth Services spokesman on a partially defended state policy.

Maintaining children with families increases their sense of belonging, even if their parents have undergone treatment for abusive behavior, officials said.

"THE CHILD has to believe they come from someone and that they belong to someone," deputy youth services director Renee Hayward said.

Though Hayward agreed extreme

cases should be handled with special care, she maintained children often become depressed, often to the point of suicide, if ordered away from their families.

The hearing gathered testimony toward the GOP's proposed "bill of rights" for sexually abused children. (See related story for details.)

While speakers addressed various aspects of child abuse, they generally agreed children's rights should be emphasized over those of their parents.

"We have to re-think how we view family life," said Mel Kaufman, a specialist with the Oakland County Department of Public Services.

Illegal drugs, including crack co-

caine, are making a bad situation worse, Kaufman added, though alcohol abuse is also taking its toll.

"About 70 percent of all children placed in Oakland County foster care programs come from families where there is some form of substance abuse," he said.

County protective services director Marguerite Tiemann said abusers aren't limited to fathers or stepfathers and victims aren't limited to little girls.

"I've found one-third of all victims are boys," she said.

In addition, relatives and baby sitters can be abusers.

"As parents, you need to look at

who you choose for a baby sitter," she said. "You also need to look at the control a 12-year-old has over his 3-year-old cousin."

Protective services officials from Wayne and Oakland counties agreed more needs to be done to allow social service agencies to intervene before an incident occurs.

"PREVENTION — that's an actual need," said Wayne County protective services director Keith Larson.

Oakland County officials believe greater coordination among police, courts and social service agencies will occur through the county's new Care House program.

But Kaufman warned there must

also be greater monitoring of judges and court referees.

"Often the debate isn't as much child welfare as which attorney is more skilled in influencing the judge," he said.

The hearing was the fifth, and final, before the task force. A vote on the GOP's proposed anti-child-abuse bills is expected by mid-1990, said Rep. Susan Grimes Munsell, R-Fowlerville.

"It's a slow process — deliberately slow to give everyone a chance to comment," Munsell said.

Munsell, Johnson and fellow representatives Judith Miller, R-Birmingham and Lyn Banks, R-Livonia, attended the hearing.

GOP wants 'bill of rights' for abused children

These are the provisions of the Sexually Abused Children's Bill of Rights, as proposed by the state House Republican Policy Commit-

tee. The wording is that of the committee.

• No contact with the abuser.

If a court determines a parent has sexually abused his or her child, the court shall prohibit the parent from having any contact with the child until the sexually abusive parent successfully completes a court-approved treatment program. A court must also decide if the child is emotionally ready to have contact with the parent.

• Contact as part of treatment. The court shall not prohibit supervised contact between the parent and child if the contact is part of the

court-approved treatment program.

• Non-punitive custody determinations.

A court shall not change the custody status of a child solely to punish a custodial parent for lack of cooperation with the court.

• Educated and trained judiciary.

Each trial court judge in the state shall complete a training program on the diagnosis and treatment of child sexual abuse.

• Consideration of all relevant evidence.

In any court proceeding concerning the sexual abuse of a child by one or both of the parents, evidence that the parent has sexually abused another child shall be admissible.

• Open-minded and unbiased judiciary.

A court without prejudice shall consider new evidence of the sexual abuse of a child even if previous allegations of sexual abuse were not proven.

• Competent expert testimony.

A court shall admit competent expert testimony that a child suffers from sexual abuse syndrome.

• Financially empowered protecting parent.

If a court determines a parent has sexually abused his or her child, the court shall order the parent to pay all costs and attorney fees incurred by the other parent and order that the abusive parent pay for the child's therapy.

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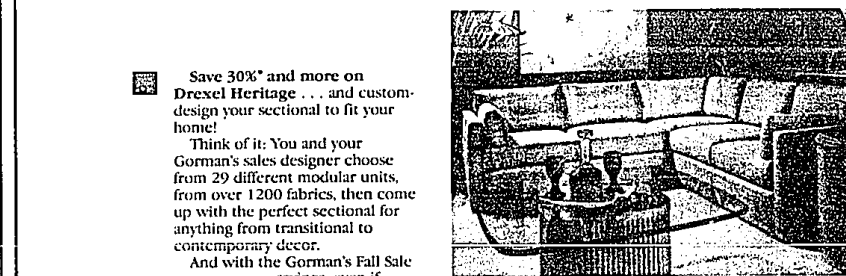
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